

REMARKS

Claims 1-3, 6, 7, 11-15, 22, and 26-42 are pending in this application. Claims 3, 6 and 39-41 stand rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Claims 3, 6 and 39-41 stand rejected under 35 U.S.C. § 112, first paragraph, as allegedly not supported by either a specific asserted utility or a well established utility. Claims 11, 12 and 15 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,649,200 ("Leblang"). Claims 22 and 26-29 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,903,897 ("Carrier"). Claims 31-38 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,223,343 ("Hopwood"). Claims 1-2 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hopwood in view of Leblang. Claims 3, 7 and 39-42 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 5,481,722 ("Skinner"). Claim 6 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Skinner in view of Panagiotis, *Diff Man Page/Man-cgi*, 1.11, 1994 ("Panagiotis"). Claims 13 and 14 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Leblang in view of U.S. Patent No. 5,649,200 ("Howard"). Claim 30 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Carrier. Applicants respectfully request reconsideration of the present application in light of the above recited amendments and below recited remarks. Applicants respectfully submit that no new matter is added by the present amendment.

Rejections Under 35 U.S.C. § 101

Claims 3, 6 and 39-41 stand rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Applicants respectfully disagree.

Claims 3 and 39 recite that the claimed method is "computer-based", and thus clearly directed to statutory subject matter. Applicants respectfully submit that dependent claims 6 and 40-41 are patentable at least by reason of their dependency. Accordingly, reconsideration and withdrawal of the 35 U.S.C. § 101 rejections are respectfully requested.

Rejections Under 35 U.S.C. § 102

Claims 3, 6 and 39-41 stand rejected under 35 U.S.C. § 112, first paragraph, as allegedly not supported by either a specific asserted utility or a well established utility. Applicants respectfully disagree.

Claims 3 and 39 recite that the claimed method is “computer-based”, and thus clearly supported by a utility. Applicants respectfully submit that dependent claims 6 and 40-41 are patentable at least by reason of their dependency. Accordingly, reconsideration and withdrawal of the 35 U.S.C. § 101 rejections are respectfully requested.

Rejections Under 35 U.S.C. § 102

Claims 11, 12 and 15 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,649,200 (“Leblang”). Claims 22 and 26-29 stand rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,903,897 (“Carrier”). Claims 31-38 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,223,343 (“Hopwood”). Claims 11, 12, 15, 22, 26-29, and 31-38 are canceled by the present amendment. Accordingly, withdrawal of the 35 U.S.C. § 102 rejections are respectfully requested.

Rejections Under 35 U.S.C. § 103(a)

1. Claims 3, 7 and 39-42 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 5,481,722 (“Skinner”). Applicants respectfully traverse.

Claim 39 is directed to a computer-based method for comparing multiple versioned documents. More specifically, a subdivision of one of the documents is compared to a subdivision of another of the documents. It is then determined whether or not there are more than a pre-determined number of differences between the subdivisions. A second determination is then made as to whether or not to indicate the differences between the subdivisions. This second determination is based on whether or not there are more than the pre-determined number of differences between the subdivisions. In particular, if there are more than the pre-determined number of differences between the subdivisions, then the differences are indicated. Alternatively, if there are not more than the pre-determined

number of differences between the subdivisions, then the differences are not indicated.

Claim 3 explicitly requires that the subdivisions are lines.

Skinner discloses a method and apparatus for merging change control delta structure files of a source module from a parent and a child development environment. Change deltas are created and propagated among the environments without any loss in change history (Skinner, Summary of the Invention).

With respect to claims 3 and 39, the Office Action states that “Skinner does not explicitly disclose ‘determining whether there are more than a pre-determined number of differences between the lines and indicating the differences’” (Office Action, Pg. 12). Claim 39, further requires that this first determination is then used to make a second determination as to “whether or not to indicate the differences between the lines.” Thus, this second determination is at least two steps removed from what the Examiner alleges is explicitly disclosed in Skinner. Applicants respectfully submit that Skinner cannot possibly imply a second determination which is based on a first determination that is not even mentioned in the reference. The Office Action further asserts that that claimed limitations are obvious in view of Skinner, yet the Office Action fails to cite even a single reference that discusses the two determining steps recited in claims 3 and 39. Thus, Applicants respectfully submit that independent claims 3 and 39 are patentable over Skinner. Applicants respectfully submit that dependent claims 7 and 40-42 are patentable at least by reason of their dependency.

2. Claim 6 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Skinner in view of Panagiotis, *Diff Man Page/Man-cgi*, 1.11, 1994 (“Panagiotis”). Applicants respectfully traverse and submit that dependent claim 6 is patentable at least by reason of its dependency.

3. Claims 1-2 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Hopwood in view of Leblang. Claims 13 and 14 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Leblang in view of U.S. Patent No. 5,649,200 (“Howard”). Claim 30 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Carrier. Claims 1, 2, 13, 14 and 30 are canceled by the present

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amendment. Accordingly, withdrawal of the 35 U.S.C. § 103 rejections are respectfully requested.


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CONCLUSION

In view of the above amendments and remarks, Applicants respectfully submit that the present application is in condition for allowance. Reconsideration of the application is respectfully requested.

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